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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,221	08/03/2000	Takafumi Itoh	194715US-2CONT	1145
22850	7590	03/03/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			RAHMJOO, MANUCHER	
			ART UNIT	PAPER NUMBER
			2676	17

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/632,221

Applicant(s)

ITOH ET AL.

Examiner

Mike Rahmjoo

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11- 16, 18, 20- 21 and 23- 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11- 16, 18, 20- 21 and 23- 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11, 18, 20, 21, and 23- 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 11, 18, 20, 21, and 23- 24 applicant recites "...a state in which a prescribed period has not elapsed...". If any given apparatus starts, regardless of how minimal, time will elapse. It is not clear to the examiner how the opposite will hold true despite the foregoing rejection.

Claims 12, 13, 14, 15, and 16 are indefinite because they depend on indefinite antecedent claims.

Further clarification of the claims is respectfully requested.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11- 13, 16, 18, 20- 21 and 23- 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orita et al (US Patent 5,003,616), hereinafter, Orita in view of Lanier (US Patent 6,400,374).

As per claim 11 Orita teaches a frame memory for storing image data representing an image to be displayed in column 5, line 18; an image display signal generator for generating image display signals based on the image data stored in the frame memory in column 5 line 14- 17; an image extraction section that extracts at least a portion of an extraction target image selected arbitrarily from among images given externally as an extraction image (segmentation means 24 for extracting areas) see for example the abstract and column 5 lines 19- 23; an extraction image memory for storing extraction image data representing the extraction image see for example column 14 lines 15- 16.

However, Orita does not teach a electro-optical device for emitting light to form images responsive to the image display signals and a projection optical system for projecting light emitted by the electro optical device and a specific image display control section that displays a specific image represented by specific image data including the

extraction image data stored in the extraction image memory in a specific operating condition, the specific operating condition including at least one of a state in which no image signal is being given to the projection display apparatus and a state in which a prescribed period has not elapsed after the start up of the projection display apparatus.

Lanier teaches a electro-optical device for emitting light to form images responsive to the image display signals (see for example the lens in video camera 2 of figure 1) and a projection optical system for projecting light emitted by the electro optical device (see for example display 4 in figure 1) and a specific image display control section (display 4 of figure 1) that in a specific display condition (video camera 2 of figure 1) displays a specific image represented by specific image data including the extraction image data stored in the extraction image memory (see for example window 20 with the face 22 image of figure 1) in a specific operating condition, the specific operating condition including at least one of a state in which no image signal is being given to the projection display apparatus(by simply having the video camera 2 of Lanier which produces the images having no captured image as one of the alternatives) and a state in which a prescribed period has not elapsed after the start up of the projection display apparatus(modification over time as the other alternative) see for example column 5 lines 10- 20.

It would have been made obvious to one of ordinary skilled in the art at the time the invention was made to incorporate the teachings of Lanier into Orita in order to produce aesthetically pleasing and natural appearing results and thus make it a versatile and efficient piece of equipment.

As per claim 12 Orita teaches displaying an extraction image setting screen for setting image extraction conditions comprising at least an extraction area and an extraction magnification factor in column 16 line 37; displaying an extraction area specifying image used in setting the extraction area on the extraction target image in column 16 lines 33- 36; when the extraction area is set with the extraction area specifying image, writing into the frame memory selected extraction image data representing a selected extraction image corresponding to the set extraction area and when a display magnification factor is set, enlarging or reducing (in figure 19 block 264) the selected extraction image data based on the magnification factor and writing the enlarged or reduced selected extraction image data into the frame memory and when a desired display magnification factor is determined, storing the selected extraction image data enlarged or reduced based on the desired display magnification factor in the extraction image memory in column 16 line 38- 43 and also figure 19 block 267 for determination of characteristics(scalar characteristics).

As per claim 13 Orita teaches the image extraction section displays a predetermined extraction frame as the extraction area specifying image, the predetermined extraction frame having a first black outline, a second black outline inside the first black outline and a white area between the first and second black outlines in figure 19 blocks 261- 263.

As per claim 16 Lanier teaches an operating condition judging section that judges if the projection display apparatus is in the specific operating condition (video camera 2 superimposing of video image), wherein the specific image display control section

displays the specific image (widow 20 with the face 22 image of figure 1) when the specific operating condition is detected by the operating condition judging section see for example figure 1.

Claims 18, 20- 21 and 23- 24 are similar in scope to claims 11- 13, and 16, singularly or in combination, and therefore are rejected with the same rational.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orita in view of Lanier as applied to claim 11 above, and further in view of JP- 205476.

As per claims 14 and 15 Orita does not teach the extraction image memory storing a plurality of extraction image data representing a plurality of extraction images and the specific image display control section displays a specific image that include at least one extraction image selected from among the plurality of extraction images in the specific operating condition and the specific image display control section selects at least two of the extraction images from among the plurality of extraction images and displays the selected images in order.

However, JP 4- 205476 teaches the extraction image memory storing a plurality of extraction image data representing a plurality of extraction images (memory which stores image selection information) and the specific image display control section (image display control circuit) displays a specific image that include at least one extraction image selected from among the plurality of extraction images in the specific operating condition and the specific image display control section selects at least two of

the extraction images (selects one or more desired images) from among the plurality of extraction images and displays the selected images in order.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of JP 4- 205476 into Orita's modified device to provide a technique for selectively displaying a desired image without difficulty as per abstract of JP 4- 205476.

Response to Arguments

Applicant's arguments filed 2/19/2004 have been fully considered but they are not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (703) 305-5658. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (703) 308- 6829. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872- 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Mike Rahmjoo

March 1, 2004



MATTHEW C. BELLA
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